

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

KRAFT SPORTS AND	)	
ENTERTAINMENT LLC, ET AL.,	)	
	)	
Plaintiffs,	)	CIVIL ACTION NO.
	)	
vs.	)	
	)	Removal of Case No. 2282-CV-00905
HISCOX INSURANCE CO., INC,	)	from Norfolk County Superior Court,
	)	Commonwealth of Massachusetts
	)	
Defendant.	)	

**NOTICE OF REMOVAL**

**PLEASE TAKE NOTICE** that Defendant Hiscox Insurance Company, Inc. (“Hiscox” or “Defendant”) hereby removes this action to the United States District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 1332, 1441 and 1446. This civil action is currently pending in the Norfolk County Superior Court, Commonwealth of Massachusetts, known as *Kraft Sports and Entertainment LLC, et al. v. Hiscox Insurance Company, Inc.*, Civil Action No. 2282-CV-00905. In support hereof, Defendant further states as follows:

**REMOVAL JURISDICTION**

1. This action is removable to this Court pursuant to 28 U.S.C. § 1332, because complete diversity exists between the parties and the amount in controversy exceeds \$75,000.
2. Removal to this Court is proper pursuant to 28 U.S.C. §§ 1391 and 1446(a).

**RELEVANT PROCEDURAL BACKGROUND**

3. Plaintiffs Kraft Sports and Entertainment LLC, New England Patriots LLC and Kraft Soccer LLC (collectively, “Plaintiffs”) filed their Complaint against Hiscox on September 23, 2022 in the Norfolk County Superior Court, Commonwealth of Massachusetts. (*See* Plaintiffs’ Complaint, attached hereto as **Exhibit A**). Plaintiffs allege that Hiscox is obligated to

provide insurance coverage for certain claims brought against Plaintiffs allegedly arising out of alleged infringement of copyrighted music.

4. Plaintiffs first served Hiscox with the Complaint on October 3, 2022. (*See* October 3, 2022 cover letter, attached hereto as **Exhibit B**).

5. Pursuant to 28 U.S.C. § 1446(a), a true and correct copies of “all process, pleadings, and orders” served on Hiscox are attached hereto as **Exhibits A and B**.

#### **TIMELINESS OF REMOVAL**

6. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal must be filed within thirty (30) days after Hiscox’s receipt of the Complaint (through service or otherwise). As set forth in ¶ 4 *supra*, Hiscox was served with the Complaint on October 3, 2022. Therefore, this Notice of Removal is timely.

#### **VENUE**

7. Removal is proper under 28 U.S.C. § 1441(a), because this Court sits in the District and Division “embracing the place where [this] action is pending” – the Commonwealth of Massachusetts. (*See Ex. A*).

#### **JURISDICTION**

8. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1332(a), because there is complete diversity between the parties and the amount in controversy exceeds \$75,000 (exclusive of costs and interest).

9. There is complete diversity between Plaintiffs and Hiscox because: (a) the Plaintiffs (per the Complaint) are Delaware corporations and have their principal place of business at One Patriot Place, Foxboro, Massachusetts; and (d) Hiscox is an Illinois domiciled insurer, with its principal place of business in Chicago, Illinois. (*See Ex. A* at ¶¶ 9-12).

10. The amount in controversy exceeds \$75,000 (exclusive of costs and interests), as the Plaintiffs seek damages well in excess of that amount. (*See Ex. A.*)

11. Accordingly, this action is removable pursuant to 28 U.S.C. § 1441.

**NOTICE TO PLAINTIFF'S COUNSEL AND THE STATE COURT**

12. Concurrent with this notice, pursuant to 28 U.S.C. § 1446(d), Hiscox is providing Plaintiffs' counsel with a copy of this Notice of Removal and filing a copy hereof with the Clerk of the Norfolk County Superior Court.

**CONCLUSION**

13. For the foregoing reasons, this action is properly removable to this Court, and Defendant respectfully requests that this Court assume full jurisdiction over this matter.

DATED: October 14, 2022

/s/ Greil I. Roberts

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***Counsel for Defendant Hiscox Ins. Co., Inc.***

**CERTIFICATE OF SERVICE**

I, Greil I. Roberts, an attorney, hereby certify that a copy of the above and foregoing was filed electronically with the Clerk of the United States District Court for the District of Massachusetts, this 14th day of October 2022, using the CM/ECF system. I also caused a copy of the foregoing to be sent via e-mail to the following:

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/s/ Greil I. Roberts  
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